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QUICKEN LOANS INC.

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **WESTERN DIVISION**

15 AMANDA HILL and GAYLE HYDE,
16 individually and on behalf of all others
17 similarly situated,

18 Plaintiffs,

19 v.

20 QUICKEN LOANS INC.,

21 Defendant.
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Case No. 5:19-cv-00163-FMO-SP

**NOTICE OF MOTION AND
QUICKEN LOANS INC.'S MOTION
TO DISMISS PLAINTIFFS' FIRST
AMENDED COMPLAINT**

Date: May 16, 2019

Time: 10:00 a.m.

Courtroom: 6D

Judge: Hon. Fernando M. Olguin
350 W. 1st Street, 6th Floor
Los Angeles, CA 90012

Filed concurrently with:

1. Memorandum; and
2. Proposed Order

NOTICE OF MOTION AND MOTION TO DISMISS

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT ON May 16, 2019, at 10:00 am, or as soon thereafter as counsel may be heard, before the Honorable Fernando M. Olguin, in Courtroom 6D of the above-captioned Court, located at 350 W. 1st Street, Los Angeles, CA 90012, Quicken Loans Inc. (“Quicken Loans”) will and hereby does move this Court to dismiss Plaintiffs Amanda Hill (“Hill”) and Gayle Hyde’s (“Hyde”) First Amended Complaint (“FAC”) in its entirety.

This Motion is made pursuant to Federal Rules of Civil Procedure 8, 12(b)(2), and 12(b)(6) on the grounds that the FAC fails (1) to show that this Court has personal jurisdiction over Hyde’s claim; and (2) to state a cognizable claim for violation of the cellphone provision of the TCPA, 47 U.S.C. § 227(b)(1)(A)(iii). This Motion is based upon this Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities, the pleadings and papers on file herein, all matters of which this Court may take judicial notice, and upon such other or further material as may be presented at or before the hearing on the Motion.

This Motion is made following the conference of counsel pursuant to Local Rule 7-3, which took place on April 5, 2019.

Respectfully submitted,

Dated: April 15, 2019

By: /s/ Brooks R. Brown
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